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PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant : S. Schneidewind et al. Customer No. : 21003
Serial No. : 10/699,121 Examiner : Tung X. Nguyen
Filed : October 31, 2003 Group Art Unit: 2829
For : Method and Apparatus for Testing Movement-Sensitive Substrates

RESPONSE TO RESTRICTION REQUIREMENT

I hereby certify that this paper is being deposited
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February 1, 2005
Date of Deposit

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39,891
PTO Registration No


Signature

February 1, 2005
Date of Signature

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

This paper is being filed in response to the Office Communication, dated
December 13, 2004, that was issued in the above-identified application. Applicant requests a
one month extension of time and enclose the required fee as set forth in 37 C.F.R. § 1.17(a)(1).

The Examiner has issued a restriction requirement and requires selection of one of two groups of claims for prosecution in this application. The Examiner has placed the pending claims into the following groups:

Group I: claims 1-9, drawn to a method for testing semiconductor substrates wherein the contact needles being connected to enable testing of electrical characteristics of circuit elements on the semiconductor substrate, the improvement wherein the substrate is subjected to acceleration during testing of the electrical characteristics and

Group II: claims 10-21, drawn to an apparatus for testing substrates wherein the apparatus comprising a chuck having an upper chuck member; a lower chuck member; and motion producing apparatus interconnecting the upper and lower chuck member.

The examiner alleges that these two groups are unrelated. Applicant provisionally elects Group I, claims 1-9, and respectfully traverses the restriction requirement. This election is made with traverse, and without prejudice to the prosecution of the subject matter of non-elected claims and subject matter in other patent applications.

The requirement for a restriction between patentably distinct inventions is proper when: (a) the inventions are independent or distinct and (b) there is a serious burden on the examiner. M.P.E.P. § 803. Both of these requirements must be met for the restriction requirement to be warranted.

Applicant respectfully asserts that the inventions of Group I and Group II are sufficiently related such that restriction is not warranted. The method of Group I can be carried

out with the testing apparatus of claims 10-21. Similarly, functions of the apparatus of Group II include testing a semiconductor substrate under conditions of accelerated movement.

It is also respectfully asserted that the field of search for the two groups would not be different from one another. The claims of Groups I and II are connected by a single, searchable unifying relationship. Applicant also notes that both Group I and II are in the same class (class 324). Therefore, applicant asserts that there would not be "serious burden on the examiner" in examining all of the pending claims of the present application together as required by MPEP §803.

In view of the foregoing remarks, it is respectfully submitted that all of the pending claims should be searched and examined as a single application. Accordingly, withdrawal of the restriction requirement is respectfully solicited.

Applicant encloses herewith the fee required for a one month extension of time. Applicants believe that there is no additional fee required with the submission of this paper. However, should any fee be required or overpayment made in connection with this submission, they may be charged to Deposit Account No. 02-4377. A duplicate copy of this sheet is enclosed.

Respectfully submitted,



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